



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

April 27, 2012

Michael Evans, President
Associated Plating Company, Inc.
8686 Lorie Court
Phelan, CA 92371

Re: 104 (e) Request for Information Related to Omega Chemical Corporation
Superfund Site; Real Property Located at 9636 Ann Street, Santa Fe
Springs, CA

Dear Mr. Evans:

The United States Environmental Protection Agency ("EPA") is spending public funds to investigate and respond to the release or threatened release of hazardous substances into the soil and groundwater at the Omega Chemical Corporation Superfund Site (the "Site"). The Site includes the former location of a used solvent and refrigerant recycling, reformulation, and treatment facility ("Omega Chemical") located at 12504 and 12512 Whittier Blvd. in Whittier, California. The term "Site", as used herein, refers to both the former Omega Chemical property and the areal extent (i.e., plume) of contaminated groundwater emanating from the Omega Chemical property.

In order to facilitate cleanup of hazardous substances at the Site, EPA divided the Site into three operable units ("OUs"): OU-1, OU-2 and OU-3. OU-1 is the former Omega facility and immediate vicinity. OU-2 is the extent of contamination in groundwater that originated from the former Omega facility and now extends more than four miles downgradient of OU-1. The contamination in groundwater has commingled with chemicals released at other source areas. OU-3 refers to indoor air contamination from the Omega Site that has occurred in several buildings near the Omega Chemical property.

Groundwater investigations to date suggest that operations at various facilities in the area, in addition to the former Omega Chemical facility, have contributed to groundwater contamination through the use of volatile organic compounds ("VOCs"), including perchloroethylene ("PCE"), trichloroethylene ("TCE"), Freons 11 and 113, and other contaminants.

As part of its ongoing investigation of the Site, EPA is seeking to determine the nature and extent of contamination at the Site, to assess the effects of contamination on the environment and public health, and to identify activities and parties that have or may have contributed to

contamination at the Site. EPA believes that you may have information that may assist EPA in its investigation.

We request that you provide a complete and truthful written response to this Information Request and questions in Enclosure B **within thirty (30) calendar days** of your receipt of this letter. Instructions on how to respond to the questions are described in Enclosure A. Please return your written response to:

Keith Olinger, SFD-7-5
U.S. Environmental Protection Agency, Region IX
Superfund Division
75 Hawthorne Street
San Francisco, California 94105

Under Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. §9604(e), EPA has broad information-gathering authority which allows EPA to require persons to furnish information or documents relating to:

- (a) The identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of at a vessel or facility or transported to a vessel or facility;
- (b) The nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility; and
- (c) Information relating to the ability of a person to pay for or perform a cleanup.

Please note that your compliance with this Information Request is mandatory. Failure to respond fully and truthfully may result in an enforcement action by EPA pursuant to Section 104(e)(5) of CERCLA, 42 U.S.C. §9604(e)(5). This statutory provision authorizes EPA to seek the imposition of penalties of up to \$37,500 per day of noncompliance. Please be further advised that provision of false, fictitious or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. §1001. The information you provide may be used by EPA in administrative, civil or criminal proceedings.

Some of the information EPA is requesting may be considered by you to be confidential business information ("CBI"), as described in Title 40 of the Code of Federal Regulations, Subchapter A, Part 2, Subpart B (40 C.F.R., §2.201, *et seq.*). Please be aware that you may not withhold the information upon that basis. If you wish EPA to treat the information confidentially, you must advise EPA of that fact by following the procedures outlined in Enclosure A, including the requirement for supporting your claim for confidentiality. Please be aware that EPA will maintain information consistent with the Privacy Act of 1974, 5 U.S.C. §552a, as amended.

This request for information is not subject to review by the Office of Management and Budget ("OMB") under the Paperwork Reduction Act because it is not an "information collection request" within the meaning of 44 U.S.C. §§3502(3), 3507, 3512, and 3518(c)(1). See also 5 C.F.R. §§1320.3(c), 1320.4, and 1320.6(a). Furthermore, it is exempt from OMB review under the Paperwork Reduction Act because it is directed to fewer than ten persons. 44 U.S.C. §3502(4), (11); 5 C.F.R. §§1320.4 and 1320.6(a).

Your response should include the appropriate name, address, and telephone number of the person to whom EPA should direct future correspondence in regard to this matter on behalf of your company.

If you have questions regarding this Information Request, please contact Steve Berninger, Assistant Regional Counsel, at (415) 972-3909, or Keith Olinger, Enforcement Officer, at (415) 972-3125. If you have questions about the history of the Site, the nature of the environmental conditions at the Site, or the status of cleanup activities, please contact Lynda Deschambault at (415) 947-4183.

We appreciate and look forward to your prompt response to this Information Request.

Sincerely,

A handwritten signature in cursive script that reads "Kathi Moore".

Kathi Moore, Manager
Case Development/Cost Recovery Section
Site Cleanup Branch
Superfund Division

Enclosures (2)

cc: Steve Berninger, EPA
Lynda Deschambault, EPA
Keith Olinger, EPA

ENCLOSURE A: INSTRUCTIONS AND DEFINITIONS

Instructions:

1. Answer Each Question Completely. A separate response must be made to each of the questions set forth in this Information Request. For each question contained in this letter, if information responsive to this Information Request is not in your possession, custody, or control, please identify the person(s) from whom such information may be obtained. For the definition of “you” and other terms, please see the Definitions section below.
2. Number Each Answer. When answering the questions in Enclosure B, please precede each answer with the corresponding number of the question and subpart to which it responds.
3. Number Each Document. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the question to which it corresponds.
4. Provide the Best Information Available. Provide responses to the best of Respondent's ability, even if the information sought was never put down in writing or if the written documents are no longer available. You should seek out responsive information from current and former employees/agents. Submission of cursory responses when other responsive information is available to the Respondent will be considered non-compliance with this Information Request.
5. Identify Sources of Answer. For each question, identify all the persons and documents that you relied on in producing your answer.
6. Continuing Obligation to Provide/Correct Information. If additional information or documents responsive to this Request become known or available to you after you respond to this Request, EPA hereby requests pursuant to CERCLA Section 104(e) that you supplement your response to EPA.
7. Scope of Request. The scope of this request includes all information and documents independently developed or obtained by research on the part of your company, its attorneys, consultants or any of their agents, consultants or employees.
8. Confidential Information. The information requested herein must be provided even though you may contend that it includes confidential information or trade secrets. You may assert a confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, 42 U.S.C. §§9604(e)(7)(E) and (F), and Section 3007(b) of RCRA, 42 U.S.C. §6927(b), and 40 C.F.R. §2.203(b). If you make a claim of confidentiality for any of the information you submit to EPA, you must prove that claim. For each document or response you claim as confidential, you must separately address the following points:

- a. clearly identify the portions of the information alleged to be entitled to confidential treatment;
 - b. the period of time for which confidential treatment is desired (e.g., until a certain date, until the occurrence of a specific event, or permanently);
 - c. measures taken by you to guard against the undesired disclosure of the information to others;
 - d. the extent to which the information has been disclosed to others, and the precautions taken in connection therewith;
 - e. pertinent confidentiality determinations, if any, by EPA or other federal agencies, and a copy of any such determinations or reference to them, if available; and
 - f. whether you assert that disclosure of the information would likely result in substantial harmful effects on your business's competitive position, and if so, what those harmful effects would be, why they should be viewed as substantial, and an explanation of the causal relationship between disclosure and such harmful effects.
 - g. To make a confidentiality claim, please stamp, or type, "confidential" on all confidential responses and any related confidential documents. Confidential portions of otherwise nonconfidential documents should be clearly identified. You should indicate a date, if any, after which the information need no longer be treated as confidential. Please submit your response so that all nonconfidential information, including any redacted versions of documents are in one envelope and all materials for which you desire confidential treatment are in another envelope.
 - h. All confidentiality claims are subject to EPA verification. It is important that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, and that it is not and has not been obtainable by legitimate means without your consent. Information covered by such claim will be disclosed by EPA only to the extent permitted by CERCLA Section 104(e). If no such claim accompanies the information when it is received by EPA, then it may be made available to the public by EPA without further notice to you.
9. Disclosure to EPA's Authorized Representatives. Information which you submit in response to this Information Request may be disclosed by EPA to authorized representatives of the United States, pursuant to 40 C.F.R. 2.310(h), even if you assert that all or part of it is confidential business information. The authorized representatives of EPA to which EPA may disclose information contained in your response are as follows:

Department of Toxic Substances Control
California Environmental Protection Agency

ENCLOSURE A

Toeroek Associates, Inc.
EPA Contract Number EP-BPA-11-W-001

Science Applications International Corporation
EPA Contract Number EP-BPA-11-W-001

CH2M Hill, Inc.
EPA RAC Contract Number EP-S9-08-04

GRB Environmental Services Inc.
Contract Number EP-R9-06-03

ITSI, Inc.
EPA RAC Contract Number EP-S9-08-03

Techlaw
EPA ROC Contract Number EP-W-07-066

Any subsequent additions or changes in EPA contractors who may have access to your response to this Information Request will be published in the Federal Register.

This information may be made available to these authorized representatives of EPA for any of the following reasons: to assist with document handling, inventory, and indexing; to assist with document review and analysis for verification of completeness; or to provide expert technical review of the contents of the response. Pursuant to 40 C.F.R. §2.310(h), you may submit comments on EPA's disclosure of any confidential information contained in your response by EPA to its authorized representatives along with the response itself, within the thirty (30) calendar day period in which the response is due.

10. Objections to Questions. If you have objections to some or all of the questions contained in the Information Request letter, you are still required to respond to each of the questions.

Definitions:

1. The term “you” or “Respondent” should be interpreted to include the addressee of this Information Request, and the addressee's officers, managers, employees, contractors, trustees, successors, assigns and agents.
2. The term “person” shall include any individual, firm, unincorporated association, partnership, corporation, trust, joint venture, or other entity.
3. The term “waste” or “wastes” shall mean and include trash, garbage, refuse, by-products, solid waste, hazardous waste, hazardous substances, and pollutants or contaminants, whether solid, liquid, or sludge.
4. The term “hazardous waste” shall have the same definition as that contained in Section 1004(5) of RCRA.

5. The term “hazardous substance” shall have the same definition as that contained in Section 101(14) of CERCLA, and includes any mixtures of such hazardous substances with any other substances, including mixtures of hazardous substances with petroleum products or other nonhazardous substances.
6. The term “release” has the same definition as that contained in Section 101(22) of CERCLA, and includes any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into the environment, including the abandonment or discharging of barrels, containers and other closed receptacles containing any hazardous substance or pollutant or contaminant.
7. The term “pollutant or contaminant” shall have the same definition as that contained in Section 101(33) of CERCLA and include any mixtures of such pollutants and contaminants with any other substance including petroleum products.
8. The term “materials” shall mean all substances that have been generated, treated, stored, or disposed of or otherwise handled at or transported to the Site including, but not limited to, all hazardous substances, pollutants or contaminants.
9. The term “document” includes any written, recorded, computer generated or visually or aurally reproduced material of any kind in any medium in your possession, custody, or control or known by you to exist, including originals, all prior drafts, and all non-identical copies.

ENCLOSURE B: QUESTIONS (INFORMATION REQUEST)

1. State the full legal name, address, telephone number, position(s) held by and tenure of the individual(s) answering any of these questions on behalf of Associated Plating Company, Inc. (“APCI”), and/or any of its predecessor or related entities, concerning certain real property located at 9636 Ann Street, Santa Fe Springs, CA 90670 (the “Property”). This Information Request is not limited to APCI; rather, it encompasses operations of any and all companies which have operated at the Property and/or which are, or were, in any way related to APCI (i.e., predecessors, parent companies, subsidiaries, etc.). Moreover, this Information Request encompasses operations of all of APCI and its predecessors or related entities, regardless of the name or names (i.e., fictitious business names, former names used by APCI, etc.) used by such entities during operations at the Property. Therefore, you must respond to each question below on behalf of APCI and any of APCI’s related entities, regardless of whether a question specifically references APCI and its related entities, or references APCI solely.
2. Identify and explain the present corporate status (e.g., active, suspended, forfeited, merged out, inactive or dissolved) of APCI, and any and all of its predecessors, successors, parent companies, subsidiaries, affiliated businesses or commercial enterprises, as well as the current and all former business forms used by such entity or entities (e.g., sole proprietorship, general partnership, limited partnership, joint venture or corporation). State the entire time period during which such entity or entities operated under each separate business form.
 - a. Provide the date each entity identified above was incorporated, formed or organized and identify the State in which the business was incorporated, formed or organized. Provide a copy of the Articles of Incorporation, Partnership Agreement, Articles of Organization or any other documentation demonstrating the particular business form, together with any and all amendments, for all business forms under which each entity identified above is or was ever operated.
 - b. Identify all fictitious business names, assumed names or names under which APCI or any of APCI’s predecessors, parent companies, successors, subsidiaries, operating divisions, plants or branches conducted business and identify the time period during which each business operated. Provide a copy of the Fictitious Business Name Statement(s) filed with the county in which each entity is or was doing business.
 - c. Identify and explain any and all sales of your company’s assets and those of any entity identified in this question and its subparts if the sale represented a sale of substantially all of the assets of the business. Identify and explain any investments in another business, company or corporation equating to 5% or more of the business, for each entity identified above, from the formation of each as a business to the date of this letter. Provide all documents governing any transactions you identify in response to this request.

- d. Identify and explain any and all mergers involving any and all of the entities identified above. Provide all documents governing any merger(s) you identify in response to this request.
3. Describe the corporate affiliation between APCI and Associated Plating Company, a California corporation. Provide copies of all documentation evidencing such affiliation. As part of your response, also provide the following information:
 - a. State whether APCI was a parent corporation, subsidiary, unincorporated division or operating unit, affiliate, or sister entity of Associated Plating Company.
 - b. State whether APCI ever owned or had an interest in Associated Plating Company.
 - c. If the answer to (b) is “yes”, describe the nature and extent of any ownership interest that APCI had in Associated Plating Company and when and how such ownership interest was acquired. In addition, describe the nature of the sale and/or transaction reflecting this ownership interest. Provide copies of all documents evidencing the purchase of assets of Associated Plating Company by APCI, along with all attachments and schedules and any and all financing documents, including security agreements, promissory notes and financing statements.
 - d. State whether there was a merger between APCI and Associated Plating Company. For all corporate mergers identified, please provide a copy of any merger document.
 - e. State whether any business records of Associated Plating Company are still in existence. If the answer is “yes”, state the location of these records.
4. Provide a list of all of APCI’s officers by name, title and dates of office from the date of incorporation to the present.
5. Provide a list all of APCI’s directors from the date of incorporation to the present. Include the dates of service for each director.
6. Provide a list of all of APCI's shareholders (5 percent interest or greater in the company) from the date of incorporation to the present. Include the name, current or most recent address and phone number of each shareholder. As part of your response, provide the number and type of shares held by each shareholder, as well as the percentage of the company owned by each identified shareholder for each year, beginning with the date of incorporation.
7. Describe the corporate affiliation between APCI and APC Investment Company, a California corporation. Provide copies of all documentation evidencing such affiliation. As part of your response, also provide the following information:
 - a. State whether APCI was a parent corporation, subsidiary, unincorporated division or operating unit, affiliate, or sister entity of APC Investment Company.
 - b. State whether APCI ever owned or had an interest in APC Investment Company.

- c. If the answer to (b) is “yes”, describe the nature and extent of any ownership interest that APCI had in APC Investment Company and when and how such ownership interest was acquired. In addition, describe the nature of the sale and/or transaction reflecting this ownership interest. Provide copies of all documents evidencing the purchase of assets of APC Investment Company by APCI, along with all attachments and schedules and any and all financing documents, including security agreements, promissory notes and financing statements.
 - d. State whether there was a merger between APCI and APC Investment Company. For all corporate mergers identified, please provide a copy of any merger document.
 - e. State whether any business records of APC Investment Company are still in existence. If the answer is “yes”, state the location of these records.
- 8. State whether you are a past or current owner of the Property. If so, provide a copy of the deed or other recorded instrument of conveyance evidencing your ownership of the Property. As part of your response, identify the dates you owned the Property.
 - 9. If you are the current or past owner of the Property, and if at any time during your ownership of such address you rented or leased the Property to any individuals or entities, provide the name of such individuals or entities, the respective dates you rented or leased to each individual or entity and a copy of the lease(s), rental agreement(s), and/or any other document(s) governing each leasehold relationship.
 - 10. State whether you are currently operating at the Property or have ever operated there in the past. If so, identify the dates you operated at the Property. If you were not the owner of the facility address at any time during your period of operations there, provide a copy of the lease(s), rental agreement(s) or any other document(s) that establish(es) your relationship to the Property.
 - 11. If you are not currently operating at the Property, identify the current operators of the Property and provide the dates such current operators began doing business at such address. To the best of your knowledge, describe the types of current operations at the Property. Provide copies of all environmental documents and facility information in your possession regarding current operations at the Property.
 - 12. Identify any prior operators at the Property and provide the dates each business operated. To the best of your knowledge, describe the types of operations that occurred at the Property. Provide copies of all environmental documents and facility information in your possession regarding prior operators.
 - 13. Identify and explain all of your business operations at the Property, including such information as the size of the facility, number of employees, dates of operation, product(s) manufactured and a description of the daily activities. Include a historical perspective of all changes in operations over time. In addition, provide a scaled map of the facility, which includes the locations of significant buildings and features. Indicate the locations of any maintenance shops, hazardous material or waste storage area(s),

machine shops, degreasers, liquid waste tanks, clarifiers, chemical storage tanks and fuel tanks. Provide a physical description of the facility and identify the following:

- a. Surface structures (e.g., buildings, tanks, containment and/or storage areas, etc.);
 - b. Subsurface structures (e.g., underground tanks, sumps, pits, clarifiers, etc.);
 - c. Groundwater and dry wells, including drilling logs, date(s) of construction or completion, details of construction, uses of the well(s), date(s) the well(s) was/were abandoned, depth to groundwater, depth of well(s) and depth to and of screened interval(s);
 - d. Past and present stormwater drainage system and sanitary sewer system, including septic tank(s) and subsurface disposal field(s);
 - e. Any and all additions, demolitions or changes of any kind to physical structures on, under or about the facility or to the property itself (e.g., excavation work), and state the date(s) on which such changes occurred; and
 - f. Indicate the location of all waste storage or waste accumulation areas, waste disposal areas, dumps, leach fields, burn pits and any other disposal locations.
14. Have you ever or do you currently use, manufacture, produce, or generate any hazardous substances/materials/waste in the operations at the Property? If your answer is anything other than an unqualified “no” for the entire period since 1950:
- a. Identify the trade or brand name, chemical composition, and quantity used for each chemical or hazardous substance, and the relevant Material Safety Data Sheet for each product, and its period of use;
 - b. Describe the process in which the hazardous substance is or was used, manufactured, generated or produced (including any current or discontinued processes);
 - c. The location(s) where each chemical or hazardous substance is or was used, stored and disposed of. In addition, identify the kinds of wastes (e.g., scrap metal, construction debris, motor oil, solvents, waste water), quantities and methods of disposal for each chemical or hazardous substance;
 - d. Describe the waste streams from any process in which any such hazardous substance is, or was used, manufactured, generated or produced;
 - e. Provide copies of any permits for storage, treatment, or disposal of any waste stream from any process in which any hazardous substance is, or was used, manufactured, generated, or produced;

- f. Provide copies of all hazardous material business plans and chemical inventory forms (originals and updates) submitted to city, county and/or state agencies; and
 - g. Provide copies of all manifests governing hazardous substances generated by your operations at the Property.
- 15. Provide copies of any and all documents evidencing your environmental practices at the Property, including, but not limited to, documents setting forth your waste management practices and procedures.
- 16. Provide copies of all technical or analytical environmental information, including, but not limited to, any known releases of hazardous substances to any media (soil, water or air) and any data and documents related to soil, water (ground and surface), geology, hydrogeology, soil sampling, soil gas sampling and/or air quality on or at the Property. As part of your response, include any and all inspection notes, citizen complaints, and formal notices of violation from any regulatory agency concerning operations or events at the Property.
- 17. Provide copies of all information and documentation related to approval of any remediation or cleanup activities conducted during your ownership or operations at the Property.
- 18. At the time APCI first took possession of the Property, state whether you were aware of any contamination of such property and describe your efforts at the time to determine if such property had been contaminated or otherwise environmentally impaired. Provide all documentation evidencing your efforts to determine whether such property was contaminated or environmentally impaired at the time you first took possession of it (e.g., Phase I or other due diligence report). Describe the environmental condition of the Property at the time you first took possession of it. Specifically, describe any contamination and/or hazardous substances, or any evidence suggesting the possible presence of contamination and/or hazardous substances that may have been present at the Property at the time you first took possession of it.
- 19. Information obtained by EPA suggests that APCI or Associated Plating Company utilized tetrachloroethylene ("PCE") at the facility. Provide the following:
 - a. Identify the quantity used and the relevant Material Safety Data Sheet for each product containing PCE, and its period of use;
 - b. Describe all processes in which PCE is or was used (including any current or discontinued processes);
 - c. Identify the location(s) where PCE is or was used and stored. In addition, identify the types of wastes that contained PCE, and the quantities and methods of disposal for each type of waste; and

- d. Provide documentation evidencing the use of PCE (e.g., manifests, material inventories, etc.).
20. Information obtained by EPA suggests that APCI and Associated Plating Company have operated equipment in which hazardous materials were stored and/or used, including: at least nine underground storage tanks, at least two aboveground storage tanks, a wastewater treatment system, a three-stage clarifier, a sump, and a vapor degreaser. For each piece of equipment, provide the following information:
- a. The date of installation, dates of operation, and date of removal, if applicable;
 - b. Identify any and all chemicals used, stored or routed to the equipment, including the date(s) that each chemical or product was used. As part of your response, please provide documents evidencing the use of each chemical or product;
 - c. The volume of chemicals used, stored or routed to the equipment;
 - d. A description of the waste streams resulting from equipment operations and a description of how these wastes were stored and disposed of. Provide any manifests and any other disposal records associated with the disposal of these wastes;
 - e. A description of any spills or releases involving chemicals or products used in or wastes generated from equipment operations. As part of your response, please identify the date(s) of each spill or release, quantity of chemical, product and/or waste involved, and actions taken to remedy each spill or release. Please provide documents evidencing your response; and
 - f. A map showing the location of the equipment.
21. Information obtained by EPA indicates that soil contamination was found in the vicinity of the degreaser. Describe the nature of any known or suspected spills or releases in the vicinity of the degreaser. Provide the date and volume of the spill(s) or release(s) and describe the cleanup or remedial action taken by APCI or Associated Plating Company, including correspondence with state agencies, work plans and subsurface investigations related to the spill or release.
22. Information obtained by EPA indicates that a wastewater treatment system has been in operation at the facility since at least 1978. Provide copies of all available wastewater discharge monitoring reports from 1999 to present.
23. Provide copies of the following environmental reports:
- a. URS Phase II Subsurface Investigation documented in the 2005 Komex Facilities Investigation, which reportedly took place between November 2001 and February 2002, and during which soil and groundwater samples were obtained;

- b. Any environmental reports, correspondence, or analytical data related to the 2004 investigation documented in the 2005 Komex Facilities Investigation; and
- c. All groundwater monitoring reports relating to the Property from the second half of 2007 to present.



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May 7, 2012

Dear Customer:

The following is the proof-of-delivery for tracking number **529286509851**.

Delivery Information:

Status:	Delivered	Delivered to:	Residence
Signed for by:	Signature not required	Delivery location:	PHELAN, CA
Service type:	Priority Envelope	Delivery date:	Apr 30, 2012 10:06

NO SIGNATURE REQUIRED

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Tracking number:	529286509851	Ship date:	Apr 27, 2012
		Weight:	0.5 lbs/0.2 kg

Recipient:
PHELAN, CA US

Shipper:
Oakland, CA US

Reference

9024-006

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